

From: [Gordon, Lisa Perras](#)
To: [Bouma, Stacey](#)
Subject: FW: Petition regarding SC Water Withdrawal Act
Date: Wednesday, September 26, 2018 5:38:37 PM
Attachments: [2018 Sept SC Water Withdrawal Rule Briefing.docx](#)

If it's okay with you...will occasionally forward some of my responses to JG's request for you to tuck in a folder for reference so you can see the kind of questions being asked. If you prefer I wait, just let me know.

From: Gordon, Lisa Perras
Sent: Wednesday, September 26, 2018 5:37 PM
To: Gettle, Jeaneanne <Gettle.Jeaneanne@epa.gov>; Wetherington, Michele <Wetherington.Michele@epa.gov>
Cc: Able, Tony <Able.Tony@epa.gov>; Bragan, Mary Jo <Bragan.Maryjo@epa.gov>
Subject: RE: Petition regarding SC Water Withdrawal Act

Jeaneanne,

- There is no progress on the issue. We have not been contacted by the Petitioners in a couple of months.
- Since the last briefing there are no updates from SCDHEC. They have not responded to us regarding the Petition.
- The Petitioners seem to still be working with the State but there has been no resolution.
- Newspaper coverage in May 2018 included, "[S.C. Supreme Court Strikes Down Edisto Potato Farm Water Challenge](#)". In a 3-2 ruling the Court found that the alleged violation of the public trust doctrine was not yet 'ripe' because harm had not yet occurred. Dissenting judge said "I find it difficult to imagine a claim better suited to the public importance exception than an alleged public trust violation."
- News coverage continued in August, 2018 [Neighbors want to stop mega-farms but they have powerful allies](#). Also a short You Tube video on this page.
- I've attached the updated Brief Sheet.

Lisa

From: Gettle, Jeaneanne
Sent: Wednesday, September 26, 2018 3:04 PM
To: Gordon, Lisa Perras <Gordon.Lisa-Perras@epa.gov>; Wetherington, Michele <Wetherington.Michele@epa.gov>
Cc: Able, Tony <Able.Tony@epa.gov>
Subject: Petition regarding SC Water Withdrawal Act

Lisa and Michele

Can you give me a short update on this issue? Are we making progress? Are the petitioners satisfied? Just a few bullets. Pls copy Mary Jo.

Thanks
jmg